

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
DECEMBER 9, 2024**

The regular meeting of the Avon Lake Municipal Council was called to order on December 9, 2024, at 7 p.m. in the Council Chamber with Council President Fenderbosch presiding.

Mr. Arnold led Council, staff, and the public in the Pledge of Allegiance.

Present: Council Members Zach Arnold, Jennifer Fenderbosch, Amy Gentry, Rob Shahmir, Geoff Smith, and K. C. Zuber; Law Director Gary Ebert; Public Works Director Jon Liskovec; and Clerk of Council Valerie Rosmarin.

Absent: Council Member David Kos and Mayor Mark Spaetzel.

PROCLAMATION

Council President Fenderbosch presented a Proclamation to Elsie Robinson in celebration of her 100th birthday.

PUBLIC HEARING

The Public Hearing opened at 7:07 p.m. upon the Northeast Ohio Public Energy Council (NOPEC) Natural Gas Opt-In Program.

NOPEC Relationship Manager Kyla Presto addressed Council. She explained that NOPEC is a gas and electric aggregation serving 240 communities and a governmental energy aggregator delivering competitive rates and protecting Ohio consumers. Avon Lake is a member of NOPEC, and its Plan of Operation and Governance (POG) does not provide a gas aggregation opt-in. It gives residents the opportunity to participate in the program automatically; they can choose to opt out. The gas opt-in provision will enable residents to return to the aggregation after they have left but want to return. Under the current POG, residents are required to wait every two years for the next opt-in period; the next one is June 2025. If Council approves the opt-in gas aggregation, it will take two billing cycles to take effect.

AUDIENCE PARTICIPATION

Gerald Phillips, 461 Windward Way, Avon Lake, encouraged Council to support the passage of Ordinance Nos. 24-175 and 24-176 to help residents by giving them more choices in their gas providers.

The Public Hearing closed at 7:10 p.m.

APPROVAL OF MINUTES

The minutes of the regular Council Meeting held on September 9, 2024, were approved as prepared and published.

COUNCIL PRESIDENT'S REPORT

Council President Fenderbosch reported on the following:

The last meetings of the year for Council will be a Collective Committee Meeting held on Monday, December 16, 2024, at 7 p.m. followed by a rescheduled Council Meeting.

PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Liskovec reported on the following:

City Hall

Contractors are painting affected offices, replacement ceiling tiles have arrived, and flooring has been ordered.

Leaf Collection/Branch Collection

Public Works Department Staff have made significant progress with leaf collection, and they will be converting one of their trucks for branch collection this week. They will start on the east side of the City. Branch collection occurs year-round but is suspended every year during leaf collection.

BUILDING AND UTILITIES COMMITTEE REPORT

The next meeting of the Building and Utilities Committee will be held on Tuesday, December 10, 2024, at 6 p.m. in the Council Chamber.

FINANCE COMMITTEE REPORT

Mr. Zuber reported on the results of the Finance Committee meeting held December 3, 2024, regarding the 2025 Budget. After reviewing projected capital expenditures, the Committee and the Administration agreed to proceed with a temporary budget for 2025. Before a permanent budget can be approved, Council would like to review the property tax collection numbers from Lorain County, expected in early January, and to work with the new Finance Director. The Committee also discussed the Assistant Finance Director's salary range. The Committee held a joint meeting with the Public Safety and Health Committee on December 4, 2024, to discuss a new Fire Station.

The next meeting of the Finance Committee will be held on Monday, January 6, 2025, at 6 p.m. in the Council Chamber.

HUMAN RESOURCES COMMITTEE REPORT

Mr. Smith reported on the Human Resources Committee meeting held earlier. The following topics were discussed: the appointments of a Finance Director, Engineering Technical Aide II, and Finance Clerk-Accounts Payable; Union negotiations; update on the Communications & Technology Director search; and a Civil Service Commission report.

Human Resources Director Lynn Kernya introduced Beth Krosse, who was selected as the new Finance Director. Ms. Krosse's appointment will be presented for Council's confirmation on December 16, 2024.

PUBLIC SERVICE COMMITTEE REPORT

The next meeting of the Public Service Committee in 2025 will be determined and announced at a future Council Meeting.

PLANNING COMMISSION REPORT

Mr. Smith reported on the Planning Commission meeting held December 3, 2024, as follows: Case No. CPC 24-17, Ford Motor Company and Universal Compressed Air Site Plan, was approved for the construction of a high-capacity compressed air system at the Ford Motor Plant located in Avon Lake. The air system will be located on the northern side of the Ford Plant. The Planning Commission discussed the City's noise ordinance in the General Offense Code and may consider changes to the Planning and Zoning Code.

The next meeting of the Planning Commission will be held on Tuesday, January 7, 2025, at 7 p.m. in the Council Chamber.

ZONING BOARD OF APPEALS REPORT

The next meeting of the Zoning Board of Appeals will be held on Wednesday, December 11, 2024, at 7 p.m. in the Council Chamber.

ENVIRONMENTAL AFFAIRS ADVISORY BOARD (EAAB) REPORT

Mr. Shahmir reported that the EAAB and Building and Utilities Committee will be having a Lessons Learned Session for procedural requirements of industrial facilities connecting into the City's stormwater system. This issue stemmed from the coal yard pond connection into the City's stormwater system that occurred without proper permitting.

TREE COMMISSION REPORT

Council President Fenderbosch reported that the City's Tree City USA application and the Growth Award application were submitted by Public Works Director Liskovec and Administrative Assistant Celena Crytzer.

The next meeting of the Tree Commission will be held on Wednesday, December 11, 2024, at 6 p.m. at the Old Firehouse.

WALKER ROAD PARK AD HOC COMMITTEE REPORT

Mr. Shahmir reported that the Walker Road Park Ad Hoc Committee discussed having a Lessons Learned Session in early 2025 on the Walker Road Park wetlands.

AUDIENCE PARTICIPATION

Gerald Phillips, 461 Windward Way, Avon Lake, addressed Council on Ordinance No. 24-166 regarding the Mayor's Salary. He expressed shock that the online City Charter has not been updated with the Charter amendment passed in November of 2023. He stated that he made a public records request for the minutes of the Charter Review Commission meetings and asked Council to consider repealing said amendment. Regarding Ordinance Nos. 24-182 and 24-189, he asked for copies of the appraisals of the properties the City will be purchasing. Also, he asked for clarification on the Water Distribution Fund in Ordinance No. 24-191.

William Zimmerman, 241 Moorewood Avenue, Avon Lake, addressed Council on Ordinance No. 24-171, regarding establishing a business district and reducing the speed limit to 25 mph. He stated that he made a public records request for all speeding tickets issued on SR 83. He announced that SR 83 is the most highly traveled road in the City. He recited the numbers and locations of tickets issued: four near Webber Road, which is 35 mph; five near Walker Road, which is 25 mph; and six north of the Walker Road business area. He questioned why the speed limit needs to change and stated that it should have been 35 mph for the last 60 years, but it was changed to 25 mph, like Lake Road recently was. He questioned how that happened because it was mandated by Ohio Department of Transportation (ODOT) as 35 mph.

MOTIONS

Mr. Smith moved to accept the resignation of Finance Clerk Karen Hutcherson upon her retirement, effective November 1, 2024. Mrs. Hutcherson notified the City in July 2024 of her intention to retire, and past practice requires Council to acknowledge it. She has been employed with the City since October 1995.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None
Absent: Kos
Motion carried.

Mr. Smith moved to accept the resignation of Building Department Administrative Assistant Dawn Phelps upon her retirement, effective January 3, 2025. Mrs. Phelps has been employed with the City since August 2000.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber
No: None
Absent: Kos
Motion carried.

LEGISLATION

Third Readings:

Ordinance No. 24-156, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF ASSISTANT PUBLIC WORKS DIRECTOR AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, was read by title only.

Mr. Smith moved for passage of Ordinance No. 24-156. This legislation will adopt a job description for the revised position of Assistant Public Works Director. The Public Works Director and Human Resources Director recommended the restructuring of the Organizational Chart in the Public Works Department by removing some duties and responsibilities of the current Assistant Public Works Director job description and including them in the Public Works Supervisor job description.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber
No: None
Absent: Kos
Motion carried.

Ordinance No. 24-156 adopted.

Ordinance No. 24-157R, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF PUBLIC WORKS SUPERVISOR AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, was read by title only.

Mr. Smith moved for passage of Ordinance No. 24-157R. This legislation will adopt a job description for the new position of Public Works Supervisor in the Public Works Department, which was initially titled Public Works Foreman. After the first reading of Ordinance No. 24-156 on October 15, 2024, the Public Works Director and the Human Resources Director revised the job description.

Mr. Zuber said he will not support this job description because he believed it is not a needed position. A City Engineer and an Urban Foresters are needed before Council should consider a Supervisor. The City has not had an in-house Engineer for over 20 years. After those two positions are filled, then Council could review the Supervisor position and determine if it is really needed.

Mr. Shahmir asked if there is a projected date to hire an Engineer. Public Works Director Liskovec responded that he will be evaluating a plan for that after the budget has been approved.

Mr. Shahmir asked if a study has been completed on having an external or internal Engineer. Public Works Director Liskovec responded that he has started compiling data to prepare for the position.

Mr. Zuber confirmed that Council has reviewed the budget, and an Engineer will be included.

Council President Fenderbosch explained that the City has grown, and the Public Works Department has added services; there is a need to ensure ample coverage to support staff performing these services and accurate record keeping, documentation, and project planning.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith

No: Zuber

Absent: Kos

Motion carried.

Ordinance No. 24-157R adopted.

Ordinance No. 24-166, AN ORDINANCE FIXING THE SALARY OF THE MAYOR IN ACCORDANCE WITH THE PROVISIONS OF THE AVON LAKE CHARTER, REPEALING ORDINANCE NO. 1-2015, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Zuber moved for passage of Ordinance No. 24-166. This legislation will fix the Mayor's salary at \$125,000 and increase vacation time from two to three weeks, as recommended by the Citizens Ad Hoc Committee. The Mayor also receives sick leave, holidays, health insurance, bereavement, and jury and witness duty. City Charter Section 20 requires Council to act on the Mayor's salary during the first year of the mayoral term. If Council does not act, then the Mayor's salary will be automatically set at \$155,000, or 3% higher than the highest-paid employee in the Administration, which is currently the Fire Chief.

Council President Fenderbosch acknowledged that American Legal is working to update the online version of the Codified Ordinances and the City Charter, and they

anticipate having it completed by March 2025.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Ordinance No. 24-166 adopted.

Second Readings:

Ordinance No. 24-171, AN ORDINANCE TO DESIGNATE A PORTION OF STATE ROUTE 83 AS A BUSINESS DISTRICT PURSUANT TO CODIFIED ORDINANCE SECTION 402.07 AND TO MODIFY THE SPEED LIMIT TO BE TWENTY-FIVE MILES PER HOUR (25 MPH) ONLY WITHIN THAT PORTION OF STATE ROUTE 83 WITHIN THE BUSINESS DISTRICT AND DECLARING AN EMERGENCY, was read by title only.

This legislation will designate a portion of SR 83 as a business district near Walker Road and modify the speed limit within the business district. It was discovered that only the east/west area on Walker Road was formally designated. If approved by Council, the north/south section of SR 83 will be included in the business district and the speed limit set at 25 mph.

Ordinance No. 24-175, AN ORDINANCE APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE NOPEC OPT-IN GAS AGGREGATION PROGRAM FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING AN OPT-IN GAS AGGREGATION PROGRAM AS A NOPEC MEMBER, was read by title only.

This legislation will approve changes to the POG for the NOPEC Opt-In Gas Aggregation Program that will allow residents to return to the Program after they have opted out. Currently, the enrollment period is every two years. By changing the POG, residents will be permitted to opt in whenever they choose instead of waiting for the enrollment period.

Ordinance No. 24-176, AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ESTABLISH AN OPT-IN NATURAL GAS PROGRAM PURSUANT TO SECTION 4929.27(A)(1), OHIO REVISED CODE, JOINTLY THROUGH NOPEC AS A NOPEC MEMBER, was read by title only.

This will authorize all actions necessary to establish NOPEC's Opt-In Natural Gas Program. This is the companion legislation of Ordinance No. 24-175 regarding the Program. If approved by Council, the changes will take two billing cycles to be effective.

Ordinance No. 24-177, AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 208.01, ENTITLED FEE SCHEDULE, was read by title only.

This legislation will amend the fees in Codified Ordinance Section 208.01(e)(15), Boat Launch. The Public Service Committee recommended removing fees for worms and bags of ice because said fees are no longer assessed. Also, amendments to Codified Ordinance 208.01(e)(18), Picnic Pavilion and Gazebo, were recommended by the Parks and Recreation Commission. At the suggestion of the Recreation Director, changes to the rental structures and a 50% increase in rental fees for the picnic pavilions and gazebos were necessary.

First Readings:

Ordinance No. 24-180, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REIMBURSEMENT AGREEMENT WITH THE CITY OF AVON LAKE AND THE VILLAGE OF SHEFFIELD REGARDING INSPECTION COSTS AT THE FORD MOTOR COMPANY ASSEMBLY PLANT AND DECLARING AN EMERGENCY, was read by title only.

Ms. Gentry moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Ms. Gentry moved for passage of Ordinance No. 24-180. This legislation will authorize the Mayor to enter into a reimbursement agreement with the Village of Sheffield for inspection costs assessed regarding building improvements at the Ford Motor Company Assembly Plant.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Ordinance No. 24-180 adopted.

Ordinance No. 24-181, AN ORDINANCE AUTHORIZING THE PURCHASE OF EQUIPMENT FROM iVIDEO PRODUCTIONS FOR THE AVON LAKE TV STUDIO AND DECLARING AN EMERGENCY, was read by title only.

Mr. Shahmir moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Mr. Shahmir moved for passage of Ordinance No. 24-181. This legislation will authorize the purchase of equipment for the Avon Lake TV Studio from iVideo Productions of Cleveland, Ohio, in the amount of \$43,106.90.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Ordinance No. 24-181 adopted.

Ordinance No. 24-182, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO PURCHASE THE NORTHEAST CORNER OF AVALON ROAD AND LAKE ROAD FROM PAOLOCONST, LLC, AND DECLARING AN EMERGENCY, was read by title only.

Council President Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Council President Fenderbosch moved for passage of Ordinance No. 24-182. This legislation will authorize the Mayor to execute a contract to purchase the northeast corner of Avalon Road and Lake Road, Lorain County Permanent Parcel No. 04-00-006-103-012, from Paoloconst, LLC, in the amount of \$175,000.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Ordinance No. 24-182 adopted.

Ordinance No. 24-183, AN ORDINANCE FIXING A PAY RANGE FOR THE POSITION OF ASSISTANT FINANCE DIRECTOR IN THE FINANCE DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

This legislation will fix a pay range for the position of Assistant Finance Director. After a job description is created, the next step is formalizing a pay range. A pay range of \$72,246.41 to \$101,858.49 was recommended by the Human Resources Director and Human Resources Committee.

Ordinance No. 24-184, AN ORDINANCE AWARDING A CONTRACT FOR THE 2025 FOURTH OF JULY FIREWORKS AND DECLARING AN EMERGENCY, was read by title only.

This legislation will award a contract for the 2025 Fourth of July Fireworks display at Weiss Field on July 3, 2025, to American Fireworks Company of Hudson, Ohio, in the amount of \$25,000.

Ordinance No. 24-185, AN ORDINANCE AWARDING A CONTRACT FOR VEHICLE EXHAUST REMOVAL SYSTEMS TO MAGNEGRIP AND DECLARING AN EMERGENCY, was read by title only.

This legislation will award a contract to MagneGrip of Cincinnati, Ohio, in the amount of \$99,748 to install Vehicle Exhaust Removal Systems at the Fire Station. The City received a grant of \$92,995.45 from the Federal Emergency Management Agency (FEMA) for the 2023 Assistance to Firefighters Grant (AFG) for the protection of the public and firefighting personnel against fire and fire-related hazards.

Ordinance No. 24-186, AN ORDINANCE CONFIRMING THE APPOINTMENT OF JULIA LOPAC TO THE POSITION OF FINANCE CLERK-ACCOUNTS PAYABLE, ESTABLISHING THE RATE OF COMPENSATION FOR SAID POSITION, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Smith moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Mr. Smith moved for passage of Ordinance No. 24-186. This legislation will confirm the appointment of Julia Lopac as the Finance Clerk-Accounts Payable in the Finance Department at the Step 2 rate of \$31.14 per hour effective December 10, 2024.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Ordinance No. 24-186 adopted.

Ordinance No. 24-187, AN ORDINANCE CONFIRMING THE APPOINTMENT OF MATTHEW HORNER AS ENGINEERING TECHNICAL AIDE II IN THE PUBLIC WORKS DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

Mr. Smith moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Mr. Smith moved for passage of Ordinance No. 24-187. This legislation will confirm the appointment of Matthew Horner as the Engineering Technical Aide II in the Public Works Department at the Step 4 rate of \$34.99 per hour effective December 10, 2024.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Ordinance No. 24-187 adopted.

Resolution No. 24-188, A RESOLUTION TO ADOPT AND DECLARE A TEMPORARY BUDGET FOR THE YEAR 2025 AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the temporary budget for 2025, as determined by the Finance Director, with input from Department Heads, the Administration, and Council. A permanent budget will be finalized in the first quarter of 2025.

Ordinance No. 24-189, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO PURCHASE FIVE PARCELS ON WEST SHORE ROAD FROM ELAM BRUEGGER AND DECLARING AN EMERGENCY, was read by title only.

Council President Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Council President Fenderbosch moved for passage of Ordinance No. 24-189. This legislation will authorize the Mayor to execute a contract to purchase five parcels on West Shore Road, Lorain County Permanent Parcel Nos. 04-00-006-102-003, 04-00-006-102-004, 04-00-006-101-062, 04-00-006-101-063, and 04-00-006-101-076, from Elam Bruegger and Ruth Bruegger, in the amount of \$515,000.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Ordinance No. 24-189 adopted.

Ordinance No. 24-190, AN ORDINANCE AUTHORIZING THE CREATION OF THE SEWER COLLECTION FUND NO. 722 AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the creation of Sewer Collection Fund No. 722 for the Municipal Utilities Department.

Avon Lake Regional Water Chief Utilities Executive Rob Munro explained that the Water Fund 701 and the Sewer Fund 721 are funds associated with the budget structure of the Municipal Utilities Department. The Water Fund pertains to operations and maintenance in the Water Filtration Plant and the Water Distribution System. Historically, there have been line items within that fund for various distributions. Creating specific funds will provide better accounting details for the Department's operations. Since Fund 701 and Fund 702 have been claimed, the next available funds are 722 and 723. The Avon Lake Municipal Utilities (ALMU) Board approved these funds. Upon passage by Council, the funds will be filed with the State Auditor.

Ordinance No. 24-191, AN ORDINANCE AUTHORIZING THE CREATION OF THE WATER DISTRIBUTION FUND NO. 723 AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the creation of Water Distribution Fund No. 723 for the Municipal Utilities Department and is the companion legislation for Ordinance No. 24-190.

PUBLIC INPUT

Gerald Phillips, 461 Windward Way, Avon Lake, recited sections from "Guidelines for Public Comment in Local Government" that were given to him at an EAAB meeting. He then made a public records request for a copy of the appraisal pertaining to the purchase in Ordinance No. 24-189. He questioned again the status of the 2023 audit and asked for copies of extensions and communications with the auditors, Finance Director, or anyone else involved in the City. He thought it was unusual that the audit was not completed because he knew the City uses the accounting firm of Zupka & Associates, and they complete their audits in July. Whenever Planning Commission applies conditions to a site plan, he believes they are usurping their legal authority because they are legislating. However, they didn't violate the law in the Ford Motor Company case referenced earlier.

Law Director Ebert responded to the audit inquiry and stated that the audit is being completed by the State and not Zupka & Associates. The State has requested several extensions because they are working on multiple audits and need more time.

William Zimmerman, 241 Moorewood Avenue, Avon Lake, announced that rules of decorum do not apply to him, it only applies to elected officials, and he can do and say whatever he wants. He complained that the Law Director works during meetings and does not pay attention. Also, Mr. Zuber constantly chats with Mr. Smith. He stated that everyone should be treated fairly and equally and gave an example of public records he received. When Mr. Phillips made the same request, he received a different amount. He read from an itemized bill of Attorney Todd Davis and questioned some of his charges. He commented on the Brownfield Committee and their failure to keep minutes. He then read from the minutes of the Community Improvement Corporation (CIC) that referenced an attachment that was not received from his records request. He expressed frustration with the Brownfield Committee and their violation of the Ohio Sunshine Law.

Mr. Shahmir addressed allegations made by Mr. Phillips and Mr. Zimmerman at the Collective Committee Meeting (CCM) last week. After the CCM, Mayor Spaetzel provided him with documentation from Attorney Todd Davis regarding projects that are ongoing, the implosion, and other environmental issues relating to the Interim Development Agreement. Mr. Phillips then supplied him with invoices from Attorney Davis. One invoice referenced a call from "T. Esborn dated January 18, 2024, regarding R. Shahmir's document request". On January 10, 2024, Mr. Shahmir asked Community Development Director Ted Esborn for documents from the rezoning consultant that pertain to rezoning initiatives, deliverables, communications, and timelines. Director Esborn did respond to his request on January 17, 2024. However, Attorney Davis' invoice lists a call from Director Esborn on how to address a Council Member. Mr. Shahmir stated that he found the legal consultation regarding a Council Member unsettling, and he believed he often receives filtered information. Yesterday, he received copies of the CIC meeting minutes from Mr. Zimmerman. There were specific details, plans, and initiatives regarding the City's approach to the former Power Plant's redevelopment and zoning issues in those minutes, and they support Mr. Shahmir's belief that there has been a lack of transparency.

Mr. Zuber moved for adjournment.

Yes: Arnold, Fenderbosch, Gentry, Shahmir, Smith, Zuber

No: None

Absent: Kos

Motion carried.

Adjournment: 8:31 p.m.

Approved: /s/ Jennifer Fenderbosch
Council President

Attest: /s/ Valerie E. Rosmarin
Clerk of Council